



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Osamu OMORI

Group Art Unit: 2811

Application No.: 10/766,935

Examiner: T. TRAN

Filed: January 30, 2004

Docket No.: 118527

For: OPTICAL MODULE, METHOD OF MANUFACTURING THE SAME, AND  
ELECTRONIC INSTRUMENT

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the May 2, 2005 Election of Species Requirement, Applicant provisionally elects Species I, Figure 1, with traverse. At least claims 1-4, 7, 10, 11 and 13 read on the elected Species. Claim 1 is generic to all Species.

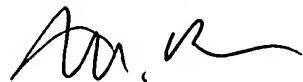
It is also respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden.

See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid

unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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